REMARKS

Claim 14 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as the invention. Claims 1, 6-8, 14, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent Number 6,201,690 to Moore et al. (hereinafter "Moore") in view of United States Patent Number 5,388,032 to Gill et al. (hereinafter "Gill"), United States Patent Number 5,549374 to Krivec (hereinafter "Krivec"), and United States Patent Number 6,266,236 to Ku et al. (hereinafter "Ku").

Applicants thank the Examiner for the telephone interview of August 16. As discussed, Applicants have added specificity to the limitation of a two horizontally separated members as will be discussed hereafter. Applicants request the amendments to claims 1, 8, and 14 be allowed to put the claims in condition for allowance.

Response to rejections of claims under 35 U.S.C. § 112 second paragraph.

Claims 14 stands rejected under 35 U.S.C. § 112 second paragraph as being indefinite. Claim 14 is amended to remove the word "viewing" such that claim 14 specifies "…an angle of said display holder is adjustable with respect to the cabinet and the keyboard holder…" Claim 14 as amended. Applicants submit that as amended claim 14 is definite.

Response to rejections of claims under 35 U.S.C. § 103(a).

Claims 1, 6-8, 14, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moore in view of Gill, Krivec, and Ku. Applicants respectfully traverse the rejections.

Applicants assert claims 1, 6-8, 14, and 22 cannot be unpatentable over Moore in view of Gill, Krivec, and Ku as there is no suggestion in the cited references to combine the teachings of Gill, Krivec, and Ku with Moore. Indeed, the teaching or suggestion to combine Moore and Gill, Krivec, and Ku can only be found in the Applicant's disclosure. The number and diversity of cited references ranging from the rack mounted console of Moore to Krivec's drawers to the portable computer of Ku are clearly only related by the claims of the present invention. It is "impermissible to use the claims as a frame and the prior art references as a mosaic to piece together a facsimile of the claimed invention." *Uniroyal v. Rudkin-Wiley*, 5 USPQ2d 1434, 1438 (Fed. Cir. 1988) (citing *W. L. Gore & Associates v. Garlock, Inc.*, 220 USPQ 303, 312). Applicants therefore submit that claims 1, 6-8, 14, and 22 are allowable as the only suggestion to combine the Gill, Krivec, and Ku with Moore is in the present invention.

Applicants further assert that the wheel/rail arrangement of Gill should not be considered in view of the lubricous material of Krivec as Krivec teaches away from a wheel/rail arrangement. Specifically, Krivec teaches away from the fixed arrangements of drawers necessitated by wheel/rail arrangements. Krivec, Col. 1, Lines 11-20. Using a wheel/rail arrangement limits the ability to reconfigure drawers as taught by Krivec. Because Krivec teaches away from the wheel/rail arrangement of Gill, Applicants assert that claims 1, 6-8, 14, and 22 cannot be rejected as unpatentable over Moore in view of Gill, Krivec, and Ku and are allowable.

Moore should further not be considered in view of Krivec and Ku as the lubricous material of Krivec's drawers and the portable computer friction hinges of Ku embody substantially different functions, structures, results, and fields of endeavor from the adjustable rack mounted computer terminal present invention. The Federal Circuit has held that inventions with different structures and different results were not equivalent. *Lehman v. Dunham's Athleisure Corp.*, Civ. App. No 96-1381, 6 (Fed. Cir. Oct. 11, 1996). The Federal Circuit has further held that "In order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." *In re Oetiker*, 977 F.2d 1443, 1446, 24 USPQ2d 1443, 1445 (Fed. Cir. 1992). Because Krivec and Ku represent different functions, structures, results, and fields of endeavor from the present invention, Applicant submits that Krivec and Ku are not appropriate references and that therefore claims 1, 6-8, 14, and 22 are allowable.

Applicants have amended claims 1, 8, and 14 with the limitations that the second frame is "...composed of two longitudinal frames horizontally separated by two lateral frames, the longitudinal frames and lateral frames forming a rectangle, wherein each longitudinal frame's longitudinal dimension is much greater than the longitudinal frame's latitudinal dimension..." Claim 1 as amended. See also claims 8 and 14. The amendment is well supported by the specification, which teaches "...frames, 31 and 35 are each rectangular, with longitudinal frames, 3111, 3112, 3511, and 3512, and lateral frames, 3121, 3122, 3521, and 3522." Page 6, Lines 14-16. In addition, the Figure 1 shows the longitudinal dimension of the longitudinal frames as being much greater than the longitudinal frame's latitudinal dimension. Fig. 1, Refs. 3511, 3512. Figure 1 also shows the longitudinal frames horizontally separated by the lateral frames. Fig. 1, Refs. 3511, 3512, 3521, 3522.

Thus the present invention claims *longitudinal frames horizontally separated by two lateral frames, the longitudinal frames and lateral frames forming a rectangle, wherein each longitudinal frame's longitudinal dimension is much greater than the longitudinal frame's latitudinal dimension*. In contrast, Moore teaches two vertically separated, rectangular pivot arms. Moore, Fig. 9, Ref. 43. Gill, Krivec, and Ku also do not teach longitudinal frames horizontally separated by two lateral frames, the longitudinal frames and lateral frames forming a rectangle, wherein each longitudinal frame's longitudinal dimension is much greater than the longitudinal frame's latitudinal dimension. Therefore, Applicants assert that claims 1, 8, and 14 as amended are allowable as Moore, Gill, Krivec, and Ku do not teach all of the limitations of the claims.

Applicants have further amended claims 1, 8, and 14 with the limitation that the first and second friction hinges include "...friction brakes *and springs* that restrain rotation at a desired angle..." Claim 1 as amended, emphasis added to amendment. See also claims 8 and 14. The amendment is well supported by the specification, which discloses "...friction brakes, pressure detents, thumb action detents, springs, opposed springs, weights, opposed weights, counter weights, and various known fulcrum arrangements and lever arrangements..." providing flexibility of rotation with rigidity. Page 8, Lines 5-9.

Thus, the present invention claims *friction brakes and springs that restrain rotation.* In contrast, Ku teaches only friction hinges that include friction brakes. Ku, Figs. 1, 3, and 14, Refs. 72 and 74. In addition, Moore, Gill, and Krivec also do not teach friction brakes and springs that restrain rotation. Applicants therefore submit that because Moore, Gill, Krivec, and Ku do not teach all of the limitations of claims 1, 8, 14 as amended, the claims are allowable.

Applicants have not specifically traversed the rejections of claims 6, 7, and 22 under 35 U.S.C. § 103(a). However, Applicants submit that claims 6, 7, and 22 are allowable as depending from allowable claims.

As a result of the presented remarks, Applicants assert that claims 1, 6-8, 14, and 22 are in condition for prompt allowance. Should additional information be required regarding the traversal of the rejections of the claims enumerated above, Examiner is respectfully asked to notify Applicants of such need. If any impediments to the prompt allowance of the claims can be resolved by a telephone conversation, the Examiner is respectfully requested to contact the undersigned.

Respectfully submitted,

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